

REMARKS

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

In response to the Restriction Requirement, Applicants hereby elect the claims of Group II (including claims 3-7, 9, 10, 12, 13, and 57), drawn to polynucleotides of SEQ ID NO:1, polynucleotides encoding SEQ ID NO:2, host cells, and a method of making polypeptides encoded by the polynucleotides, with traverse.

Claims directed to methods of using the claimed polynucleotides for detecting polynucleotides by hybridization (i.e., claims 14 and 15), for detecting polynucleotides by hybridization with PCR (i.e., claim 16), for screening a compound for its ability to alter expression of the claimed polynucleotides (i.e., claim 28), and for assessing toxicity of test compounds (i.e., claim 29), could and should be examined together with the product claims from which they depend, per the Commissioner's Notice in the Official Gazette of March 26, 1996, entitled "Guidance on Treatment of Product and Process Claims in light of *In re Ochiai*, *In re Brouwer* and 35 U.S.C. § 103(b)" which sets forth the rules, upon allowance of product claims, for rejoinder of process claims covering the same scope of products. Applicants presume these method claims will be rejoined, upon determining allowability of the product claims from which they depend.

It is also submitted that claims 1 and 56, drawn to polypeptides of the invention, could be examined along with the polynucleotide claims without undue burden on the Examiner. A search for prior art to determine the novelty of the polynucleotides would substantially overlap with a search of the prior art to determine the novelty of the polypeptides encoded by the polynucleotides.

Applicants reserve the right to prosecute non-elected subject matter in subsequent divisional applications.

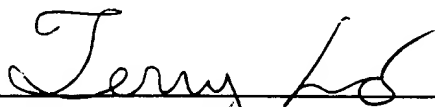
If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned at (650) 621-8581.

If the USPTO determines that any additional fees are due, the Commissioner is hereby authorized to charge Deposit Account No. **09-0108**.

Respectfully submitted,

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Limited Recognition (37 C.F.R. § 10.9(b)) attached
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 11 has been canceled, without prejudice or disclaimer.

Claims 1, 3, 9, and 13 have been amended as follows:

1. (Once Amended) An isolated polypeptide [selected from the group consisting of:
 - a) a polypeptide comprising the amino acid sequence SEQ ID NO:2,
 - b) a polypeptide comprising a naturally occurring human variant of the amino acid sequence of SEQ ID NO:2,
 - c) a biologically active fragment of a polypeptide having the amino acid sequence of SEQ ID NO:2, and
 - d) an immunogenic fragment of a polypeptide having the amino acid sequence of SEQ ID NO:2] encoded by the polynucleotide of claim 3.

3. (Once Amended) An isolated polynucleotide encoding a polypeptide selected from the group consisting of:
 - a) a polypeptide comprising the amino acid sequence of SEQ ID NO:2,
 - b) a polypeptide comprising a naturally occurring human variant of the amino acid sequence of SEQ ID NO:2,
 - c) a [biologically active] fragment of a polypeptide having the amino acid sequence of SEQ ID NO:2, wherein said fragment binds thrombin, and
 - d) an immunogenic fragment of a polypeptide having the amino acid sequence of SEQ ID NO:2, wherein said fragment comprises at least 13 contiguous amino acid residues of SEQ ID NO:2.

9. (Once Amended) A method of producing a polypeptide encoded by a polynucleotide of

claim 3, the method comprising:

a) culturing a cell under conditions [suitable for expression of] wherein the polypeptide is expressed, and wherein said cell is transformed with a recombinant polynucleotide, and said recombinant polynucleotide comprises a promoter sequence operably linked to a polynucleotide of claim 3, and

b) recovering the polypeptide so expressed.

13. (Once Amended) An isolated polynucleotide comprising at least 60 contiguous nucleotides of a polynucleotide selected from the group consisting of:

a) a polynucleotide consisting of the polynucleotide sequence of SEQ ID NO:1,

b) a polynucleotide consisting of a naturally occurring human variant of the polynucleotide sequence of SEQ ID NO:1,

c) a polynucleotide complementary to a polynucleotide of a),

d) a polynucleotide complementary to a polynucleotide of b), and

e) an RNA equivalent of a)-d) [claim 12].

New claim 58 has been added as follows:

58. (New) An isolated polynucleotide of claim 12, comprising a naturally occurring human variant of the polynucleotide sequence of SEQ ID NO:1.